

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Julius Smiley, #262734)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No.: 0:09-2039-TLW-PJG
)	
Warden Robert Stevenson; Associate Warden)	
Cartledge; Major Sharonda Sutton; Jon Ozmint,)	
State Commissioner of Corrections; and)	
Associate Warden Barkley;)	
)	
Defendants.)	
_____)	

ORDER

On August 4, 2009, the plaintiff, Julius Smiley, (“plaintiff”) proceeding *pro se*, brought this action pursuant to 42 U.S.C. § 1983. (Doc. #1). The case was referred to Magistrate Judge Paige J. Gossett pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 (B)(2)(c), DSC.

This matter now comes before this Court for review of the two Report and Recommendations (“the Report”) filed by the Magistrate Judge to whom this case had previously been assigned. (Docs. # 75 and # 76). Both were issued on April 30, 2010. In the first Report, the Magistrate Judge recommends that the plaintiff’s request for injunctive relief against SCDC and the defendants be denied as moot. (Doc. # 75). In the second Report, the Magistrate Judge recommends that the plaintiff’s motion for a declaratory judgment and motion for summary judgment be denied, that the defendants’ motion for summary judgment be granted, and that the plaintiff’s motion for injunctive relief and motion for a hearing be denied. (Doc. # 76). Objections were due by May 17, 2010. The

plaintiff has filed no objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendations are **ACCEPTED**. (Docs. # 75 and # 76). Therefore, the plaintiff's request for injunctive relief is deemed **MOOT** (Doc. # 62), the plaintiff's motion for a declaratory judgment (Doc. # 37) and motion for summary judgment (Doc. # 52) are **DENIED**, the defendants' motion for summary judgment (Doc. # 57) is **GRANTED**, and the plaintiff's motion for injunctive relief (Doc. # 48) and motion for a hearing (Doc. # 60) are **DENIED**. As it appears that there are no issues remaining, the clerk is directed to close this civil action.

IT IS SO ORDERED.

s/Terry L. Wooten
United States District Judge

July 21, 2010
Florence, South Carolina